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Briefing Paper

CHILDREN IN NEED: Examining its use in practice and reflecting on its currency for proposed policy changes (March 2007)

Dr Kay Tisdall (Reader in Social Policy) and Vicky Plows (Research Associate), The University of Edinburgh

Local authorities were given the duty to 'safeguard and promote' the welfare of 'children in need' in their areas, by the Children (Scotland) Act 1995. This project sought to examine the use of 'children in need' in Scottish local authority policy and practice, and its currency for proposed policy changes in children's services.

A number of planning requirements, for children's services, have now been combined in Integrated Children's Services Plans. The Scottish Executive expects plans to address children in need, amongst other groups and services.

The project had four components: a literature and research review; a content analysis of all local authorities' Integrated Children's Services Plans; a survey of 'practice team' managers in children's social work services; and discussions with fieldwork teams in two local authorities, selected on the basis of their active use of children in need in plans and reported by managers.

Main findings

Children in need did not seem to be 'leading' planning nor practice.

- Only 5 out of 32 local authority Integrated Children's Services Plans made explicit use of children in need and used it as an organising concept.
- According to managers, children in need was sometimes used to justify service provision, but 'children at risk' was far more commonly used.
- Children in need was rarely used explicitly by fieldwork teams.

Children in need -- as a status and a legal category -- could be used successfully to claim resources within social work or from other agencies, according to managers and fieldwork teams.

Children in need had greatly enhanced social work attention to children affected by disabilities and their families.

Fieldwork teams described children in need as a minimum threshold to 'get through the door' of children's services but further prioritisation was often necessary for children and their families to receive support.

Social work research elsewhere continues to find children in need services 'squeezed out' by the demands of child protection. This was also found here in social work practice: 'statutory work' was often prioritised over children in need. The latest plans, however, covered a much broader range of children and services.

Although the children in need duties apply to all local authority services, fieldwork teams thought they were largely perceived as belonging to social work. Definitions of children in need were not always common across services, according to managers and fieldwork teams.

Managers and fieldwork teams were reluctant for children in need to be replaced. Certain advantages of the category were described: it was holistic; it was tied to assessment, which social workers saw as one of their core skills; and it was flexible. A large minority of respondents suggested the duty and definition be revised.

Policy Context

The Scottish Executive (SE) has consulted upon proposals for improving children's services and new legislation is being proposed. These proposals include new statutory duties for 'relevant agencies' to:

- Do their best in identifying children who have unmet needs, assessing needs, and ensuring appropriate action is taken, with respect to children's well-being.
 - Promote the well-being of children and be alert to matters adversely affecting such well-being.
 - Take action should they be aware of a child who has or may have unmet needs. This may involve collaboration with other agencies, which requires an agreement of an action plan and designating a person to take responsibility for ensuring the plan is implemented.
 - The views of the child and relevant persons (e.g. parents and carers) must be given due regard in any material decisions about the child's well-being.
- (paraphrased from Sections 1, 2, 4 and 5 of the Children's Services (Scotland) Bill)

A partial definition of well-being is provided by Section 1(4), which lists issues that agencies should have particular regard to: health (whether physical or mental); welfare (including care and neglect); development (whether personal or social); harm, abuse and ill-treatment; emotional and behavioural issues.

These requirements for individual children sit alongside the introduction of a new inter-agency framework for assessing need and revised guidance for Integrated Children's Services Plans.

These proposals are building upon the Children (Scotland) Act 1995 and thus the definition of 'children in need' (CIN) and accompanying duties. Section 93(4) defines CIN as:

A child is under the age of 18 and 'in need' because:

- (i) the child is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health and development unless services are provided;
- (ii) the child's health or development is likely significantly to be impaired, or further impaired, unless services are provided;
- (iii) the child is disabled; or
- (iv) the child is affected adversely by the disability of another family member.

Each local authority must provide a range and level of services to safeguard and promote the welfare of children in its area who are 'in need' and to promote the upbringing of CIN by their families (Section 22).

The latest consultation document asks whether CIN needs to be changed:

...The Bill will place obligations on all agencies to be alert to and act on children's needs as best they can. Given these duties and the expanded definition of "need" is there a requirement to have a separate definition of "in need"?

We believe the rationalisation of definitions would both avoid confusion and require those working with children to focus more on the needs of children and action to address them rather than whether they fit into a category.

Policy and practice around children's services have changed dramatically since the CIN category was introduced into Scotland. The focus on social inclusion and social justice sets out an inclusive, radical agenda that has a considerable emphasis on children and their families, while *Closing the Opportunity Gap* has again underlined the need to address inequalities and poverty. The Scottish Executive has an increased focus on early intervention and tackling social disadvantage and has strongly promoted integrated children's services. There has been substantial legislative changes for special educational needs, with a more inclusive category of 'additional support needs' and a set of duties and rights surrounding co-ordinated support plans. Children's welfare has a place in mental health and housing legislation. CIN and its accompanying duties now sit within a very different context than they did in 1995. What is CIN's potential, as a basis for future developments in children's services?

Research Aim and Questions

This project examined the use of 'children in need' (CIN) in local authority planning and practice, and its currency for proposed policy changes in children's services. It asked the following research questions:

- How has CIN been defined – explicitly and/or implicitly – in the most recent Integrated Children's Services Plans (2005-08)?
- How does the definition of CIN and accompanying duties sit alongside other statutory definitions?
- How useful (and in what ways) is the definition of CIN and accompanying duties for: planning, prioritisation of services, and meeting the needs of individual children?
- What alternatives to, or modifications of, CIN would assist development of Scottish children's services?

Research Design

The project had four components

1. An up-to-date literature and research review on CIN and its implementation elsewhere in the UK, and through Scottish research that may be available in the 'grey' literature or as a minor component of other projects. The review concentrated on research published after 2000.
2. A content analysis of the Integrated Children's Services Plans
3. A postal survey of local authority children's services 'practice team' managers (54 surveys analysed)
4. Concentrating on two local authorities, selected on the basis of components 2 and 3, seven group discussions were held with fieldwork social work teams (involving 47 participants). Individual surveys were filled in by 37 of these participants.

Further information on the methodology, data management and analysis, and ethics is available in the full report, available at the project's website (see address below).

Findings

1. Literature and research review

Most research has been undertaken in England. No new research was identified directly on CIN from Scotland, through the search methods; some research (e.g. on the piloting of the integrated assessments) has some relevancy.

Broadly, the review found:

- Despite the English 're-focusing' debate in the mid 1990s, child protection continued to crowd out CIN/ family support services. Child protection structured how social work children's services functioned.
- Considerable difficulties in establishing an agreed CIN definition across agencies, although English research suggested the assessment introduced in 2000 had improved this.
- Despite the specific listing of children with disabilities in the CIN legal definition, this group could still be neglected in service provision.
- Narrow definitions of CIN failed to take a broader, more preventive approach. These narrow definitions of CIN have often been swallowed into other categories, such as children at risk of social exclusion or vulnerable children.
- Disproportionate attention to children under the age of five, with limited attention to teenagers' and their parents' needs
- Poor needs analysis by local authorities, in planning for children's services. What analysis was done was unconnected with published action plans.
- Heightened recognition of the need to consult with children, young people and their parents in individual assessments and in service planning.
- Poor record keeping for social work assessments, found in both English and Scottish research. Most local authorities failed to meet the time targets, for the English assessments introduced in 2000.
- A range of English research found that parents/ carers (usually around 80%) and children/ young people were broadly satisfied with the assessment process and services provided, although a notable minority was not. It could be difficult to access social work services and many families wanted more services.

2. Content analysis of Integrated Children's Services Plans (ICSP)

ICSP were analysed from all 32 local authorities, using a coding framework. Drafts or final versions were accessed.

According to the Executive's guidance, the plans must include references to "services for vulnerable children and children in need, including arrangements for early intervention and support within universal services and targeted additional support where required". Plans do not have to make specific reference to the category of CIN. The question remains, then, over how useful CIN is for planning and practice.

The analysis found:

- Plans made little use of CIN:
 - 1) 6 plans made no explicit mention of CIN, in terms of the legal category or accompanying duties.
 - 2) 21 plans mentioned CIN in introductory comments but did not use it as an organising concept.
 - 3) 5 plans made explicit use of CIN and used it as an organising concept for all or part of their ICSP.
- For those plans that did use CIN, they frequently oscillated between using CIN as an umbrella term or as a separate category amongst others (e.g. children affected by disability or looked after children).
- Rather than CIN, the term 'vulnerable' children, young people and/or families was regularly found in many plans. In only two plans was this term given some definition. It could be found across action plans and services, suggesting its currency for interagency services.
- Across virtually all plans, particular groups of children were identified as service priorities: children or young people affected by parental substance misuse;

children or young people with mental health needs; children or young people who offend; children or young people affected by domestic abuse; children or young people affected by disability or disabled children; young carers.

- Very little mention was made in most plans to minority ethnic groups. It may be, however, that the needs of such groups would be addressed by the general prioritisation of inclusion.
- Plans varied considerably in the extent and integration of statistics and research, to determine need. Most plans described consultation with children, young people, parents and carers, although it was exceptional for the impact of this to be stated on the plan.
- While not a particular focus of the analysis, the plans were considerably more inter-agency than earlier versions. This was evident symbolically, in the use of multiple signatures and logos. It was evidenced in the action plans, which tended to cover a range of services and types of need. Education, health and social work continued to be the most named, but housing was also specified in half of the ICSP and leisure/ sport had a far higher profile than in the past.

3. Survey of 'practice team' social work managers in children's services

The survey distribution was hampered by the lack of a national list of managers at this level. Based on local authority information, 150 surveys were sent out but some recipients did not consider them relevant to their work. 54 surveys were returned, some representing more than one respondent. The return rate ranged from 36% to 47%, depending on how it is calculated. Surveys were completed from 27/ 32 Scottish local authorities.

According to the respondents:

- Nearly all (50/54) would locate their authority's definition of CIN in the Children (Scotland) Act 1995 and guidance. Over half (28/54) would locate the definition in their ICSP.
- A shared definition of CIN was most likely to be identified with the Children's Reporter (40/54) and far less with other services (e.g. 16 and 25 respondents ticked 'always' or 'somewhat' respectively, in regards to education). The respondents were least likely to see leisure and housing as having a shared definition.
- Almost all respondents reported that CIN was actively used, at least 'somewhat', across planning and service provision.
- In giving examples of where CIN had been effective for individual children and their families, there were four themes: disabled children receiving services; CIN allowed for early intervention, in contrast to child protection; financial support for families; and accessing and providing services across agencies.
- 'Children at risk' continued to be a high priority for local authorities, potentially 'crowding out' CIN.
- Planning was most likely to be based on service referrals (43/54) and information collected on children currently using the services (43/54), and least likely to be based on asking people in the community what they wanted (11/54).
- Information and training on CIN were most likely to come from the ICSP (46/54) and departmental policy or guidelines (42/54).
- Social work or joint assessment was most likely to 'always' determine service options for CIN (32/54), with availability of resources/ services determining options 16/54 'always' or 19/54 'frequently'.
- CIN had several advantages. Most notably, it was considered flexible for service planning (34/54) and for individuals (35/54), and helped focus on prevention and preventive services (40/54). The most commonly identified disadvantage was the

demands of child protection outweighing the duties towards CIN (41/54). Few respondents thought the category was stigmatising to children and their families (4/54).

- The CIN duty and definition should not be replaced, according to most respondents. A large minority thought they should be revised. (see table below)

4. Group discussions and surveys of fieldwork teams, in two local authorities

Group discussions were held with a range of teams (family centre, area teams, disability teams and those who work with young people who offend) in two local authorities. Individual surveys were filled in after each discussion.

Overall, the analysis concluded:

- CIN was not common terminology with professionals outwith social work. It was rarely used with children, young people and their families, except in relation to financial help.
- CIN was seldom used overtly in front-line social work, by social workers themselves. It had a background role: the legal justification for their work; a minimum requirement to access social work services; CIN was defined and tied to assessment, and assessment was a central skill of social workers; Section 22 allowed families to access financial help.
- CIN could gain children and their families a place on social work's waiting list but did not ensure they received a service: further prioritisation was required. A disability and family centre team described having to resist this in their work. Other statutory work was a higher priority -- not just child protection but also children's hearing or other work with young people who offend.
- CIN could be used tactically by social workers to argue for resources from their managers. Here, the flexibility of the category could be 'filled in' by the social workers to make this claim.
- Social workers saw other agencies as largely not having the same value systems. Other agencies were described as focusing on behaviour and ignoring the child's context, rather than considering a child's needs holistically. But social workers identified *individuals* in other agencies who did share their values.
- CIN could be used to remind agencies of their duties and to claim other resources, or to 'downgrade' external concerns that a child was 'at risk'. But interagency work was difficult because other agencies frequently saw CIN and the Children (Scotland) Act 1995 as belonging solely to social work.
- When asked, teams aware of additional support needs largely described it as an educational category, with education making demands on social work services. One disability team saw potential in the new category, for re-definition of need across agencies and a more inclusive approach.
- The CIN duty and definition should not be replaced, according to most participants. In their surveys, a large minority thought they should be revised (see table below).
- Two advantages were perceived of CIN: its inclusion of children affected by disabilities and its holistic emphasis.
- Other associations were more ambivalent, being seen as advantages by some and disadvantages by others. These included: the broadness and flexibility of the category; whether or not the category was stigmatising; CIN could be used to claim resources from other agencies but its failure to be interagency was noted by several participants.

Table: Survey responses of managers and fieldwork teams, to changing the duty and definition of CIN (Valid percent used)

	Should the duty to 'safeguard and promote' the welfare of children 'in need' be changed?		Should the legal definition of 'children in need' be changed?	
	Managers	Fieldwork teams	Managers	Fieldwork teams
No, it is useful as it is	28 (52%)	20 (57%)	26 (49%)	17 (52%)
Yes, it should be revised (but not replaced)	17 (32%)	14 (40%)	18 (34%)	11 (33%)
Yes, it should be replaced	3 (6%)	0	3 (6%)	3 (9%)
Don't know	6 (11%)	1 (3%)	6 (11%)	2 (6%)

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Further information

For further information about the project, contact Kay Tisdall k.tisdall@ed.ac.uk, 0131 650 3930. The project's website is at <http://www.childhoodstudies.ed.ac.uk/research.htm#cin>